

REMARKS

In response to the Office Action dated July 8, 2004, Applicants respectfully request reconsideration and withdrawal of the rejections of the claims.

Claims 1-5, 7, 8, 11-22 and 27-34 were rejected under 35 U.S.C. §102, on the grounds that they were considered to be anticipated by the Tonelli et al patent (US 5,821,937), and claims 6, 9 and 10 were rejected under 35 U.S.C. §103, as being unpatentable over the Tonelli patent. In addition, claims 23-26 were rejected under 35 U.S.C. § 103, as being unpatentable over the Tonelli patent in view of the Kozaki et al patent (US 5,828,888). To reduce the issues under consideration, as well as clarify the distinctions between the present invention and the cited references, claims 1-32 have been canceled, and new claims 35-66 have been added. Claims 33-66 are currently pending. It is respectfully submitted that the Tonelli patent does not anticipate, nor otherwise suggest, the claimed subject matter, whether considered by itself or in combination with the Kozaki patent.

The Tonelli patent discloses a method that assists a user in the design of networks, such as corporate networks. It supports physical layout using office maps, network device interconnects and drops. In addition, it has the ability to probe a running network, to try to match a network design with an existing network layout. Much of the patent discusses the generation of a Bill of Materials for building a network, and generation of work orders so that a human can update an existing network, based on changes to the network design. In contrast, the claimed invention is directed to the automated provisioning of servers and other networked computing devices, and more particularly to the user interface via which the automated provisioning process is driven. Among other considerations, such automated

provisioning must take into account issues such as security, service software modeling, life-cycle management, device state and device ownership. The application describes a user interface for rapid and repeatable model-based configuration control of services provided via, for example, the Internet. In such model-based configuration management, the user interface is employed to select an operating system, application software, and application data, such as customer content. These selections are stored in a database, along with name/value pairs that identify the configuration parameters for the selected components. This stored information is used to drive parameterized provisioning of the servers and other networked computing devices.

It is respectfully submitted that the Tonelli patent does not suggest the claimed subject matter to a person of ordinary skill in the art. For instance, claim 35 recites a graphical user interface that includes a first user interface element via which a user can select at least one computing device to be configured, from among a plurality of networked devices. Figures 8C and 8D of the application illustrate one example of a such a user interface element, in which the user can select one or more servers, by means of checkboxes 86. Claim 35 further recites a second user interface element via which the user designates an operating system to be loaded on the selected computing device. In the disclosed example, once the user has selected one or more servers, he can then indicate that the operating system role for those selected servers is to be changed, by means of a button 90 (Figure 8D). Actuating this button brings the user to the screen 106 illustrated in Figure 8G, which is an example of the second user interface element. This screen displays a list 108 of available operating systems that can be designated to be loaded on the selected servers. Once the user has selected a particular operating system in the list, the

identification of that operating system is stored in the database 32 (Figure 5), in association with the selected servers. The storage of this information forms a portion of the model for the selected servers. Thereafter, as described in the application, the stored model is used to drive the automated provisioning of those servers.

In the rejection of claims 23-26, the Office Action acknowledges that the Tonelli patent does not disclose a user interface element which enables a user to select an operating system role for a device. To this end, therefore, the Office Action relies upon the Kozaki patent, and contends that it would be obvious to employ the teachings of this patent in the system of the Tonelli patent, to provide the user with the capability to select different operating system roles. It is respectfully submitted, however, that the Kozaki patent is directed to a system that is entirely different from that of the Tonelli patent, and hence there is no reason to combine their teachings. Furthermore, even if the teachings could somehow be combined, the result would not be the same as the presently claimed invention.

As noted above, the Tonelli patent is directed to a method for *designing* a network, which includes the capability to audit an existing network to discover its configuration and compare it to a desired network design. In general, the method of the Tonelli patent is concerned with the topology of the network, namely the various devices that constitute the network and their interconnections. It is not directed to loading software onto these devices.

In contrast, the Kozaki patent is directed to a computer network in which a user at a given computer, identified as the source computer, can *request* a particular version of an operating system that is to be run on that user's computer. For example, referring to Figure 2 of the patent, it can be seen that a first action that is carried out is the sending of a

request M1 from the source computer 11 to a master computer 10. In response, the master computer returns a list M2 of available operating systems. The user at the source computer then selects one of these operating systems, and sends a message M3 to the master computer with a request for that operating system. Based upon a management table stored at the master computer, a remote computer 12 which contains the requested operating system is identified, and a message M4 is sent to that remote computer to request the operating system. In reply, the remote computer 12 sends a copy of the requested operating system to the source computer 11 via a message M5.

It can be appreciated that the concerns of the Kozaki patent are quite different from the network topology design method of the Tonelli patent. In the method of the Tonelli patent, the design of the network topology takes place offline, and results in the generation of work orders and Bills of Materials, that enable a human to carry out an intended design change. On the other hand, the operating system procurement technique of the Kozaki patent functions in real time, to enable a user at a given computer to obtain a desired version of an operating system, to execute on that computer. The two systems have nothing to do with one another, since the Tonelli patent is not concerned with the provisioning of operating system or other software components on network devices, and the Kozaki patent is not concerned with the design of network topology. Accordingly, there is no apparent reason for a person of ordinary skill in the art to apply the teachings of one to the other.

Furthermore, even if one were to implement the operating system management technique of the Kozaki patent in a network designed according to the Tonelli patent, the result would not be the same as the presently claimed invention. For example, as noted

above, claim 35 recites a first user interface element via which a user can select at least one computing device to be configured, from among a plurality of networked devices. In the system of the Kozaki patent, the user does not employ an interface element to select a computer, from among a plurality of computers, on which the desired version of the operating system is to be loaded. Rather, the user sends his request from the *given* computer at which he is working. The difference between the Kozaki patent and the present invention resides in the fact that the Kozaki patent is directed to a mechanism via which a user can *procure* a desired operating system for execution on that user's computer, whereas the claimed subject matter is directed to the *automated provisioning* of one or more servers, or the like.

In addition to this difference, the claims recite other features of the invention which are neither disclosed nor suggested by the cited references. In light of the fundamental nature of the distinction set forth above, it is believed that a detailed discussion of these other differences is unnecessary at this time. In view of the foregoing, it is respectfully submitted that each of claims 35-66 is patentable over the Tonelli and Kozaki references, whether considered individually or in combination.

Claim 33 recites a graphical user interface for searching for a device among a plurality of devices. The graphical user interface includes an input interface for entering one of a host name of the device and an IP address of the device. The claimed interface further includes a display screen which provides selected information associated with the device "based upon whether the input interface received a host name or an IP address." As depicted in the exemplary embodiment of Figures 9A-9C, a user can enter either a host name or an IP address in a window 126 of the screen 124. If a host name is entered, the

user is provided with a screen 128 of information, such as that shown in Figure 9B. On the other hand, if an IP address is entered, the user is presented with a screen 130, such as that shown in Figure 9C.

In rejecting claim 33, the Office Action refers to the "Name" field shown in Figure 43 of the patent as representing a host name, and the "IP Addresses" field shown in Figure 44 as representing an IP address. It is respectfully submitted that these figures do not disclose the claimed subject matter to a person of ordinary skill in the art.

First, it is not clear that either of the fields identified in Figures 43 and 44 constitute an interface via which a user can *enter* the host name of a device or the IP address of a device, as recited in claim 33. Rather, these two figures depict "Properties" dialog boxes, which function to *display* information about particular devices. The patent does not disclose that these dialog boxes are used for the purpose of searching for a device.

In any event, even if the dialog boxes can be interpreted to constitute interfaces for entering the host name or an IP address, there is no disclosure of a display screen which provides selected information associated with a device "based upon whether the input interface received a host name or an IP address." In connection with this claimed subject matter, the Office Action refers to Figure 45 of the Tonelli patent. There is no disclosure in the patent which suggests that the information displayed in the dialog box of this figure is based upon whether a user entered a host name or an IP address. Rather, this figure merely depicts another tab that displays a different set of information associated with the "Properties" dialog box of Figure 43. There is no disclosure that the information displayed under this tab is based upon whether the user enters a host name or an IP address.

Accordingly, it is respectfully submitted that claim 33, and its dependent claim 34, are likewise not anticipated by the Tonelli patent.

Reconsideration and withdrawal of the rejections, and allowance of all pending claims are respectfully requested.

Respectfully submitted,

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Date: January 10, 2005

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